

Docket No.: 38586-329

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Ting, Kang

Serial No.: 09/412,297

Filed: October 5, 1999

For: NELL-1 ENHANCED BONE MINERALIZATION

: Customer Number: 33401

: Confirmation Number: 9486

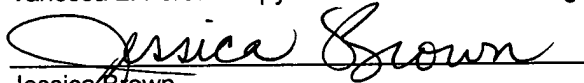
: Group Art Unit: 1645

: Examiner: Ford, Vanessa L

CONFIRMATION

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that on Nov. 12, 2004, which is the date I am signing this certificate, I am transmitting this response via facsimile to (703) 872-9306, known to me to be the facsimile number of Art Unit 1645, and directly to Examiner Ford at (571) 273-0857, known to me to be the facsimile number of Examiner Vanessa L. Ford. A copy of the confirmation being kept for recordkeeping purposes.


Jessica Brown

RESPONSE TO ADVISORY ACTION DATED SEPTEMBER 13, 2004

By Facsimile: (571) 273-0857 (Ex. Ford)

By Facsimile: (703) 872-9306 (Art Unit 1645)

This letter responds to the Advisory Action, mailed September 13, 2004. The Examiner states that the reply filed August 4, 2004 fails to place the application in condition for allowance and notes that the amendment will not be entered.

Applicant believes the Examiner may not have received the Request for Continued Examination (RCE), filed by applicant in this case on September 7, 2004, prior to issuing the present Advisory Action. Applicant requests confirmation that the amendment and RCE have been entered and are being considered by the Examiner.

Applicant also submits herewith a further supplemental Information Disclosure Statement to disclose the two references cited in the International Search Report (attached

herewith) for PCT Application Serial No. PCT/US03/29281, another application regarding the same technology by the same inventor.

Date: November 12, 2004

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP



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